

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

DERRICO BERETERVIDE,
Plaintiff,

v.

Civil No. 3:23cv472 (DJN)

UNKNOWN,
Defendant.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate proceeding *pro se*, submitted a letter requesting the Court to send him a form for filing a 42 U.S.C. § 1983 complaint and asking for legal advice. (ECF No. 1.) By Memorandum Order entered on August 8, 2023, the Court explained that it may not provide Plaintiff with legal advice or legal research. (ECF No. 2.) The Court directed the Clerk to mail a standardized form for filing a 42 U.S.C. § 1983 complaint to Plaintiff and instructed Plaintiff to complete and return the form within thirty (30) days of the date of entry thereof if he wished to file a complaint. The Court explained that if Plaintiff failed to take any action within that time, the Court would dismiss the action without prejudice. *See* Fed. R. Civ. P. 41(b).

More than thirty (30) days have elapsed, and Plaintiff has not completed and returned the § 1983 form. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Let the Clerk file a copy of the Memorandum Opinion electronically and send a copy to Plaintiff.

/s/

David J. Novak
United States District Judge

Richmond, Virginia
Dated: September 22, 2023